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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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Alain Deblock

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EXAMINER

ARMOUCHE, HADI S

ART UNIT

PAPER NUMBER

2432

NOTIFICATION DATE

DELIVERY MODE

11/23/2009

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

DocketingDept@young-thompson.com

Office Action Summary	Application No. 10/524,772	Applicant(s) DEBLOCK ET AL.	
	Examiner HADI ARMOUCHE	Art Unit 2432	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 August 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-28 and 30-43 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3-28 and 30-43 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>08/07/2009</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. This action is responsive to applicant's amendment filed on 08/07/2009. Claims 1, 3-28, 30-43 have been amended; claims 2 and 29 have been cancelled. Claims 1, 3-28, 30-43 remain pending.

Response to Arguments

2. Applicant's arguments filed on 08/07/2009 have been fully considered but they are not persuasive.

3. It has been argued (page 18, 20 and 22 of the remarks) that the combined teachings of Salste and Sandberg do not teach *disjointed networks for transmitting two complementary parts of confidential information* and therefore *a disjointed terminals for entering respectively the two complementary parts of confidential information..*

Applicant's interpretation of the references is noted. However, examiner respectfully disagrees. Salste (as the applicant pointed out on pages 18 and 19 of the remarks) sends confidential information via the telephone network and other information via the internet. Whereas Sandberg sends confidential information (pieces one and two) via two separate routes within the same network (as the applicant pointed out on pages 16 and 17 of the remarks). An ordinary skill in the art (as the applicant pointed out on page 21 of the remarks) would modify Sandberg's teachings by replacing the risky open internet network with a closed telecommunication network (such as Salste's PSTN network). Therefore upon combining the two references, "Piece One" of Sandberg will

Art Unit: 2432

still go through the WWW while "Piece Two" of Sandberg will go through the PSTN as taught by Salste.

4. For purpose of examination, examiner assumed that the recitation of "means" in claims 28 and 30-43 does not invoke 35 USC 112, sixth paragraph

If applicant wishes to have the claim limitation treated under 35 U.S.C. 112, sixth paragraph, applicant is required to:

(a) Amend the claim to include the phrase "means for" or "step for" in accordance with these guidelines: the phrase "means for" or "step for" must be modified by functional language and the phrase must **not** be modified by sufficient structure, material, or acts for performing the claimed function; or

(b) Show that the claim limitation is written as a function to be performed and the claim does **not** recite sufficient structure, material, or acts for performing the claimed function which would preclude application of 35 U.S.C. 112, sixth paragraph. For more information, see MPEP § 2181.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Art Unit: 2432

6. Claims 1-21, 25, 27-33, 35-38, 40, 41 and 43 are rejected under 35 U.S.C. 103 (a) as being unpatentable over Sandberg (WO 96/29667) in view of Salste (WO 01/28154).

7. With respect to claims 1 and 28, Sandberg discloses a method for secure and automated transmission of confidential information, in particular an identification code, to an authenticating organization (provide security in the transmission of a credit card number...piece 41 is sent to the merchant 16, and the other 45 is sent to the verification agent 20, see p. 4, lines 12-18) during a transaction with a user according to which a first part of the confidential information is sent to the authenticating organization over a first network (the credit card number may split into two pieces. Only one piece 41 is sent to the merchant 16, see p. 4 lines15-17), where the method comprises a stage according to which the user sends the second part of the confidential information, complementary to the first part, to a neutral intermediary over a second network (the other 45 is sent to the verification agent 20, see p. 4, lines17-18) then sending to the authenticating organization, over a third network (300), the complementary part of the confidential information which it has received (see fig. 1 and fig. 2), the neutral intermediary (4) having not access to all the confidential information, only the authenticating organization (3) retrieving all the confidential information (the confidential information ... is not available on any one link at a given time ... It is only available in the hands of the initiator... and verifying agent, and not to the verification-seeking party, see p. 3, line 28 through p. 4, line 2).

Sandberg doesn't explicitly disclose disjointed network. However, Salste discloses second network disjointed from the first network (transmitting confidential information ... which a part of the information to be transmitted can be transmitted via an open telecommunication network and another part is transmitted via a closed telecommunication network, see abstract). It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify Sandberg with disjointed network of Salste to improve data security and reduce the risks of an unauthorized party gaining access to the confidential information, see p. 4.

Salste discloses that the two complementary parts are entered on disjointed terminals (see fig. 1).

8. With respect to claim 3, Sandberg discloses transmission of the first part of the confidential information to the authenticating organization is carried out directly between the user and said organization over the first network (Only one piece 41 is sent to the merchant 16, see p. 4 lines15-17).

9. With respect to claim 4, Sandberg discloses the user sends the first part of the confidential information to a supplier of goods or services over the first network (Only one piece 41 is sent to the merchant 16, see p. 4 lines15-17); the supplier then sends the first part to the organization over a third network (see fig. 2 tag/piece one).

10. With respect to claim 5, Sandberg discloses at least one session identifier, shared between at least two of the parties to the transaction, allow the authenticating organization to reconstitute automatically the confidential information which the user

Art Unit: 2432

sends to it (the verification agent 20 combines the tagged pieces of the credit card number to reconstruct the number, see p. 4, lines 25-27).

11. With respect to claim 6, Sandberg discloses each session identifier is generated by at least one of the parties (1, 2, 3, 4) to the transaction (The confidential information may include an identification number, e.g., a credit card number. The transaction may include a purchase ... verification agent of a credit card company, p. 3).

12. With respect to claim 7, Sandberg discloses coordinates for calling back the user over the second network are sent to the neutral intermediary by the authenticating organization (3) over the third network (fig. 1 and fig. 2).

13. With respect to claim 8, Sandberg discloses coordinates for calling back the user over the second network are sent to the neutral intermediary by the supplier of goods or services over the third network (fig. 1 and fig. 2).

14. With respect to claim 9, Sandberg discloses the communication over the first network between the user and the authenticating organization or the supplier of goods or services is transferred automatically to the neutral intermediary for the transaction (fig. 1 and fig. 2).

15. With respect to claim 10, Sandberg discloses coordinates for calling back the user over the second network are sent to the neutral intermediary by the user over the first network (100) (fig. 1 and fig. 2).

16. With respect to claim 11, Sandberg discloses the neutral intermediary contacts the user automatically over the second network to retrieve the second complementary part of the confidential information (fig. 1 and fig. 2).

Art Unit: 2432

17. With respect to claim 12, Sandberg discloses the user contacts the neutral intermediary over the network to send the second complementary part of the confidential information, associated with a session identifier (fig. 1 and fig. 2).

18. With respect to claim 13, Sandberg discloses the third network is a secure point to point network (fig. 1 and fig. 2).

19. With respect to claim 14, Sandberg discloses the neutral intermediary requests the user to provide, in addition to the confidential information to be sent to the organization, a personal code which allows the user to be identified (The confidential information may include an identification number, e.g., a credit card number. The transaction may include a purchase ... verification agent of a credit card company, p. 3).

20. With respect to claim 15, Sandberg discloses the personal code is sent, via a secure point to point network, to a second authenticating organization with which the user has previously registered or to which the user is known (fig. 1 and fig. 2).

21. With respect to claim 16, Sandberg discloses the personal code is a digital or voice code entered on a connected terminal (The confidential information may include an identification number, e.g., a credit card number. The transaction may include a purchase ... verification agent of a credit card company, p. 3).

22. With respect to claim 17, Sandberg discloses the user is automatically guided by the neutral intermediary through the various stages of the method for sending the second part of the confidential information over the first and/or second network respectively, in a coordinated and optionally synchronized manner (see fig. 1 and fig. 2).

Art Unit: 2432

23. With respect to claim 18, Sandberg discloses the user is automatically guided by the various parties to the transaction through the various information exchange stages over the first and/or second networks respectively, in a coordinated and optionally synchronized manner (see fig. 1 and fig. 2).

24. With respect to claim 19, Sandberg discloses the neutral intermediary and/or the organization store(s) the coordinates of user in an uncoded or reversibly encrypted manner (page. 5, lines 7-24).

25. With respect to claim 20, Sandberg discloses the neutral intermediary and/or the organization store(s) in an uncoded or reversible encrypted manner the second complementary part of the confidential information supplied by the user over the network (this would make the message highly secure even without encryption, see p. 8, lines 24-25).

26. With respect to claim 21, Sandberg discloses the neutral intermediary and/or the organization store(s) the personal code sent by the user in an uncoded or reversible manner (the message could be broken down... this would make the message highly secure even without encryption, see p. 8, lines 20-25).

27. With respect to claim 25, Nagel discloses the personal code is stored, optionally in combination with the coordinates of the user on the network by means of an undecipherable coding (see fig. 1, 2).

28. With respect to claim 27, Sandberg discloses the neutral intermediary contacts the user again after the latter has disconnected from the first network, said connection

Art Unit: 2432

to the first network being re-established once the second part of the confidential information has been sent to the neutral intermediary (see fig. 1, 2).

29. With respect to claim 30, Salste discloses the first and second networks use different communication technologies and protocols (see fig. 1). It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify Sandberg with Salste to reduce the risks of an unauthorized party gaining access to the confidential information, see p. 4.

30. With respect to claim 31, Salste discloses the entry means on the first network are independent of the entry means on the second network (see fig. 1). It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify Sandberg with Salste to reduce the risks of an unauthorized party gaining access to the confidential information, see p. 4.

31. With respect to claim 32, Sandberg discloses the authenticating organization, the neutral intermediary and/or the supplier of goods or services comprise means capable of generating or managing at least one session identifier for exchanging and/or retrieving information concerning the transaction and allowing the authenticating organization to reconstitute the confidential information sent by the user via the entry means over the first and second networks (see fig. 1 and fig. 2).

32. With respect to claim 33, Salste discloses the neutral intermediary comprises means capable of automatically contacting the entry means of the user over the second network so that the user sends the second part of the confidential code (fig. 1). It would

Art Unit: 2432

have been obvious at the time the invention was made to a person having ordinary skill in the art to modify Sandberg with Salste to enable user follow the required steps.

33. With respect to claim, 35, Salste discloses the supplier of goods or services comprises means capable of transferring the communication over the first network between the means of entry situated at the location of the user connected to server-forming means situated at the supplier to server-forming means situated at the neutral intermediary, thus automatically connecting the user to the neutral intermediary and thus enabling the two parties to interact (see fig. 1). It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify Sandberg with Salste to enable the different networks communicate with each other.

34. With respect to claim 36, Salste discloses the supplier of goods or services, the authenticating organization and the neutral intermediary comprise means allowing the transmission of secure point to point data over a third network (fig. 1, 2, 3). It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify Sandberg with Salste to prevent disclosure of information and data.

35. With respect to claim 37, Sandberg discloses the neutral intermediary has means enabling it to coordinate and/or synchronize messages over the networks (see fig. 1, 2).

36. With respect to claim 38, Sandberg discloses the neutral intermediary and/or the authenticating organization comprise(s) means capable of storing information supplied by the user and system utilization statistics (a terminal 17 receives the information and stores it pending verification, p. 1, lines 21-22).

Art Unit: 2432

37. With respect to claim 40, Salste discloses the user comprises means capable of automatically contacting the server-forming means of the neutral intermediary over the second network in order to send the second part of the confidential code (see fig. 1 and 3).

38. With respect to claim 41, Salste discloses the neutral intermediary comprises means capable of being contacted by the user over the second network to enable the transmission of the second part of the confidential information (see fig. 1, 3). It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify Sandberg with Salste to perform requisite function with respect to the transaction and reduce the risks and liability for unauthorized disclosure of private information.

39. With respect to claim 43, Sandberg discloses the authenticating organization also comprises the means of the neutral intermediary (see fig. 1, 2).

40. Claims 22-24, 26, 34, 39 and 42 are rejected under 35 U.S.C. 103 (a) as being unpatentable over Sandberg (WO 96/29667) in view of Salste (WO 01/28154) and further in view of Nagel et al. (US 7,181,017) hereinafter Nagel.

41. With respect to claim 22, Nagel discloses the neutral intermediary and/or the organization establish a transaction log (fig. 1, transaction log 12). It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify Sandberg and Salste with Nagel to record each transactions, which may be used

Art Unit: 2432

for auditing, reconciliation, verification, trend analysis, or other purposes, col. 20, lines 50-66).

42. With respect to claim 23, Nagel discloses the log established by the neutral intermediary and/or the organization is anonymous (This log potentially allows subsequent aspects of a transaction to be anonymous, with the identifier of the User 20, col. 20, lines 53-54). It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify Sandberg and Salste with Nagel to allow subsequent aspects of a transaction to be anonymous, col. 20, lines 53-54).

43. With respect to claim 24, Nagel discloses the anonymity of the log is ensured by a non-decipherable coding of a combination of the coordinates of the user sent over the second network and of the second part of the confidential information sent by the user to the neutral intermediary over the second network (it is possible to permit anonymity of one part, for example a sender of a message, by employing anonymous cryptographic protocols, such as a employed in micropayment technology, col. 30, lines 11-14). It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify Sandberg and Salste with Nagel to allow subsequent aspects of a transaction to be anonymous, col. 20, lines 53-54).

44. With respect to claim 26, Nagel discloses the neutral intermediary sends an advice linked to the transaction log of the user over the network (fig. 1, intermediary 10, transaction log 12). It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify Sandberg and Salste with Nagel to

Art Unit: 2432

record each transactions, which may be used for auditing, reconciliation, verification, trend analysis, or other purposes, col. 20, lines 50-66).

45. With respect to claim 34, Nagel discloses the neutral intermediary comprises means capable of generating digital fingerprints or unidirectional encryption (a generated digital fingerprint associated with the digital information to a digital fingerprint previously generated which is unique to the requesting computer system, col. 41, 22-24). It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify Sandberg with Salste with Nagel to identify data and associated user and networks.

46. With respect to claim 39, Nagel discloses the neutral intermediary comprises means capable of voice recognition and/or voice synthesis (col. 76, lines 40-41, selection of a voice recognition data base). It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify Sandberg and Salste with Nagel to have more way of inputting data in to system and network.

47. With respect to claim 42, Nagel discloses the neutral intermediary and/or the organization comprise(s) means capable of identifying the user in a log using the confidential code sent during the transaction (fig. 1, transaction log 12). It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify Sandberg and Salste with Nagel to record each transactions, which may be used for auditing, reconciliation, verification, trend analysis, or other purposes, col. 20, lines 50-66).

Art Unit: 2432

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **HADI ARMOUCHE** whose telephone number is (571)270-3618. The examiner can normally be reached on M-Th 7:30-5:00 and Fridays half day.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gilberto Barron can be reached on (571) 272-3799. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/H. A./
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